

# Lowenstein Sandler

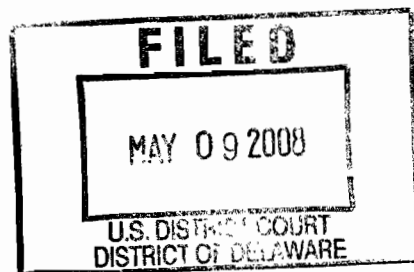
ATTORNEYS AT LAW

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May 6, 2008

Clerk  
United States District Court for the District of Delaware  
844 N. King Street  
Wilmington, DE 19801

Re: **Smidth & Co.**  
**08-MC-00088-UNA - GMS**  
**REQUEST FOR EXPEDITED HEARING**



SS

Dear Sir or Madam:

We represent Smidth & Co. in the above-referenced miscellaneous proceeding and the chapter 11 bankruptcy proceeding captioned *In re Smidth & Co.* that is pending in the United States Bankruptcy Court of the District of Delaware as Case No. 08-10516 (KG). On April 25, 2008, we commenced the miscellaneous proceeding in this Court by filing a motion to transfer pending litigation involving personal injury claims against Smidth & Co. pursuant to 28 U.S.C. §157(b)(5) (the "Motion").

We respectfully request that the foregoing motion be assigned to a judge and scheduled for hearing at the Court's earliest possible convenience. As set forth in the Motion, an expedited hearing is necessary given that the two cases which Smidth & Co. seeks to transfer to this Court are scheduled for trial shortly in the Supreme Court of California. Accordingly, the Motion must be adjudicated prior to the scheduled trial dates in the two California actions.

Should you require additional information or have any questions about this matter, please do not hesitate to have a member of the Court's staff contact the undersigned.

Respectfully submitted,

S. Jason Teele

SJT:cbs

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05/07/08 6563238.1

cc: Christopher P. Simon, Esq.  
Michael S. Etkin, Esq.

Lowenstein Sandler PC

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